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MGM Resorts International and
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHESTER L. ATHEY,

Plaintiff,

vs.

MGM RESORTS INTERNATIONAL, a
Foreign Corporation; MGM RESORTS
INTERNATIONAL, as GENERAL
PARTNER OF VICTORIA PARTNERS;
ROE Business Organizations I-X; and DOE
INDIVIDUALS I-X, Inclusive,

Defendants.

Case No. 2:19-cv-01953-KJD-VCF

**STIPULATION AND ORDER TO STAY
ACTION UNTIL AUGUST 3, 2020**

(Third Request)

IT IS HEREBY STIPULATED by and between Plaintiff Chester Athey ("Plaintiff"), through his counsel Kemp & Kemp, and Defendants MGM Resorts International and Victoria Partners dba Park MGM ("Defendants"), through their counsel Jackson Lewis P.C., that this action be stayed in its entirety until August 3, 2020, with this Court's approval. This Stipulation is submitted and based upon the following:

1. Due to the public health and safety issues caused by COVID-19, the Parties anticipate significant delays in the discovery process.

1 2. On March 18, 2020, Defendant, along with all other gaming establishments in
2 Nevada, ceased operations in accordance with Governor Steve Sisolak's Emergency Directive
3 002.

4 3. On March 23, 2020, the Parties filed a Stipulation and Order with this Court (ECF
5 No. 26) seeking to stay the case until May 22, 2020 due to the COVID-19 pandemic. The Court
6 approved and issued an Order on March 25, 2020. ECF No. 27.

7 4. On March 31, 2020, Governor Sisolak issued Emergency Directive 010 requiring
8 Nevada residents to stay in their homes until April 30, 2020 except to perform work for or obtain
9 goods or services from essential businesses.

10 5. On April 29, 2020, Governor Sisolak issued Emergency Directive 016 which
11 orders that gaming establishments "shall remain closed until the Gaming Control Board
12 determines that operations may safely resume." In addition, the Governor extended the stay-at-
13 home order to May 15, 2020.

14 6. On May 19, 2020, the Parties filed a Stipulation and Order with this Court (ECF
15 No. 28) seeking to stay the case until June 22, 2020 due to the COVID-19 pandemic. The Court
16 approved and issued an Order on May 20, 2020. ECF No. 29.

17 7. During this time, the Parties have been, and will continue to be unable to,
18 participate meaningfully in discovery. Governor Sisolak has since allowed gaming
19 establishments to resume operations with restrictions, and the Defendant is in the resource-
20 intensive process of reopening its operations. Defendant's internal personnel necessary to assist
21 with discovery in this action are occupied with these efforts. Defendant anticipates, based on the
22 current schedule for reopening its properties, that the necessary personnel to proceed with
23 discovery will be available in August.

24 8. Due to these circumstances, the Parties agree it is appropriate that this matter be
25 stayed in its entirety until August 3, 2020.

26 9. On or before August 10, 2020, the Parties will submit a Stipulation and Order to
27 Amend the Scheduling Order dated February 18, 2020 (ECF No. 24) to establish new deadlines.

